

## I. FACTS AND PROCEDURAL HISTORY

## II. LEGAL STANDARDS

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12(b)(6). *Wilhelm v. Rotman*, 680 F.3d 1113, 1121 (9th Cir. 2012). When a court dismisses a complaint upon screening, the plaintiff should be given leave to amend the complaint with directions as to curing its deficiencies, unless it is clear from the face of the complaint that the deficiencies could not be cured by amendment. *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995).

### III. ANALYSIS

First, parole board members “are entitled to absolute quasi-judicial immunity for decisions to grant, deny, or revoke parole because these tasks are functionally comparable to tasks performed by judges.” *Swift v. California*, 384 F.3d 1184, 1189 (9th Cir. 2004) (internal quotation marks omitted). Second, § 1983 claims based on parole determinations are categorically barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) unless and until the determination is overturned via writ of habeas corpus. *Butterfield v. Bail*, 120 F.3d 1023, 1024–25 (9th Cir. 1997) (citing *Elliott v. United States*, 572 F.2d 238, 239 (9th Cir. 1978)).

### CONCLUSION

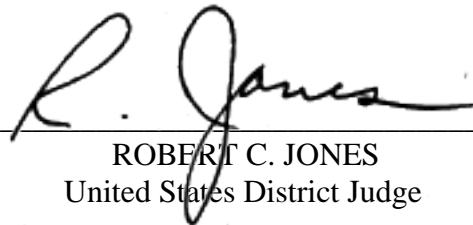
IT IS HEREBY ORDERED that the Complaint is DISMISSED, without leave to amend.

IT IS FURTHER ORDERED that the Motion to Stay (ECF No. 2) is DENIED as moot.

IT IS FURTHER ORDERED that the Clerk shall enter judgment and close the case.

IT IS SO ORDERED.

Dated this 30th day of April, 2015.



ROBERT C. JONES  
United States District Judge